UNITED
NATIONS

CERD

International Convention on
the Elimination
of all Forms of
Racial Discrimination

Distr.
GENERAL

CERD/C/384/Add.4
19 February 2001

Original: ENGLISH

COMMITTEE ON THE ELIMINATION
OF RACIAL DISCRIMINATION

REPORTS SUBMITTED BY STATES PARTIES UNDER ARTICLE 9 OF THE CONVENTION

Sixteenth periodic reports of States parties due in 2000

Addendum

Cyprus*

[7 November 2000]

* This document contains the fifteenth and sixteenth periodic reports of Cyprus, due on 4 January 1998 and 2000, respectively, submitted in one document. For the fourteenth periodic report of Cyprus and the summary records of the meetings at which the committee considered that report, see documents CERD/C/299/Add.19 and CERD/C/SR.1278 and 1279.

The information submitted by Cyprus in accordance with the consolidated guidelines for the initial part of the report of States parties is contained in HRI/CORE/1/Add.28/Rev.1.

GE.01-40734 (E) 230501

I. INTRODUCTION

1. The Government of the Republic of Cyprus submits its fifteenth and sixteenth reports to the Committee under article 9 of the Convention.

2. In the preparation of the report due regard has been given to:

(a) The concluding observations of the Committee after considering the fourteenth report at its 1278th and 1279th meetings held on 4 and 5 August 1998;

(b) Issues of concern raised during the consideration of the fourteenth report;

(c) Developments in Cyprus regarding the implementation of the Convention since the submission of the last report.

3. The developments which were mentioned by the Cyprus delegation during the consideration of the fourteenth report are to some extent incorporated in the present report with a view to supplying all the information regarding developments which occurred between the last two reports.

4. This report has been prepared by a special Committee of the National Institution for the Protection of Human Rights which has recently been established. This Committee is composed of the Law Commissioner as Chairman and of representatives of the Attorney-General's Office, the Ministry of Justice and Public Order, the Ministry of Foreign Affairs, the Ministry of Interior, the Ministry of Education and Culture, the Ministry of Labour and Social Insurance, the Ministry of Finance and the Commissioner for Administration.

5. The National Institution for the Protection of Human Rights is an independent body and is the national agency for the protection of human rights. It consists of two committees, one of which is the aforementioned special committee entrusted with the preparation and follow-up of the periodic reports of the Republic, and with authority to make recommendations for the amendment of the legislation in areas where the existing provisions are not in compliance with the provisions of the Conventions. The other committee consists of representatives from the private sector and also of members of the House of Representatives. This Committee is empowered to hear complaints about violations of human rights which do not fall within the competence of other bodies.

II. CONCLUDING OBSERVATIONS OF THE COMMITTEE

6. This part of the report deals with the principal subjects of concern and with the suggestions and recommendations of the Committee in its consideration of the fourteenth periodic report.

Essential clarifications

7. Cyprus as is well known is still coping with the effects of the Turkish invasion of 1974 which has had the effect of the de facto separation of its people. Cyprus was one of the first

States which ratified the International Convention on the Elimination of All Forms of Racial Discrimination. However, due to the policy of the occupying Power, the Government is prevented from implementing its provisions in the entire country, a fact which has been duly underlined by the Committee in its report contained in document A/53/18. In that document, the Committee expressed "grave concern at the lengthy occupation of 37 per cent of the territory of Cyprus by Turkish forces and the continued division of the country, and the Government is still prevented, by the use of force, from implementing the provisions of the Convention in the country since the invasion of 1974" (para. 332). It further states "that the continuing artificial division of the country has adversely affected efforts to reduce tension among the various ethnic and religious communities which comprise the population" (ibid.) and expresses its concern about "the insufficient information on the demographic composition of the occupied part of Cyprus" (para. 339).

Information regarding the Convention

8. Cyprus was one of the first States to ratify the Convention and is also one of the 25 States which has made the declaration under article 14 of the Convention, which effectively recognizes the competence of the Committee to receive and consider communications from individuals and groups within these States' jurisdiction who claim to be victims of violations by those States parties. Cyprus has also ratified the amendment to article 8, paragraph 6, of the Convention.

9. The establishment and operation of the National Institution for the Protection of Human Rights in 1998 contributes to the dissemination of information with regard to the Convention but also with regard to all conventions dealing with human rights.

10. In particular, according to the memorandum of establishment of the Institution, its most important function is to supply information about human rights to any interested person and further to assist in sensitizing the public about such rights.

11. This is achieved through publications and the organization of seminars and other informative and educational activities. It is interesting to note that the memorandum of the Institution has been published and distributed free of charge.

12. With the launching of the Institution a literary gathering was organized at which speeches were delivered on the occasion of the fiftieth anniversary of the Universal Declaration of Human Rights. The main speakers were the Chairman of the Institution, the Attorney-General of the Republic, the President of the Supreme Court and the Chairman of the Complaints Committee of the Institution.

13. The Institution is currently preparing:

(a) A handbook about human rights;

(b) A compilation of the human rights treaties which are applicable in Cyprus;

(c) An anthology of the cases of the Supreme Court relating to human rights;

(d) An anthology of the human rights cases dealt with by the Commissioner for Administration;

(e) A special edition of the concluding observations of the monitoring committees established under International Institutions;

(f) A seminar about the teaching of human rights in secondary education. This seminar has already taken place in Nicosia and Limassol. It will soon be organized for primary education as well.

14. The Institution, in an effort to make its existence, objectives and services widely known, has addressed letters to the main diplomatic missions in Cyprus of countries which have substantial numbers of nationals residing or working in Cyprus. The missions are requested to inform their nationals about the Institution and to appoint, if possible, liaison officers for direct communication.

15. The reports of the Republic together with the concluding remarks of the relevant monitoring committees to which the reports are submitted are under preparation for publication. With regard to the concluding remarks, it has been mentioned that judges should be made aware of them. Hence, all the concluding observations will be sent to them.

III. MAIN ISSUES OF CONCERN

Issues of concern during the consideration of the fourteenth report

16. The following are the main issues of concern raised during the consideration of the fourteenth report.

The religious groups

17. Cyprus throughout its long and turbulent history was conquered by a number of different peoples with varying cultures, religions and traditions. Before the Ottoman occupation of 1571 Cyprus was under the rule of the Republic of Venice and before that by the Frankish Lusignians for more than three centuries. This period had considerable effect on the composition of the population of Cyprus today. The Lusignian and Venetian era gave rise to the Franko-Venetian Community that identified itself on the basis of the common Catholic faith of its members. With the fall of Cyprus to the Ottomans we have the first introduction into Cyprus of the Turkish community.

Additional information about the two main communities and their relationship

18. Since the Turkish invasion of 1974 and the forced expulsion of almost all Greek-Cypriots living in the occupied area of Cyprus, the possibilities of economic interaction between the two major communities have been practically non-existent. The Turkish occupation forces pursue a conscious and systematic policy of keeping the two communities apart. Repeated efforts by the Government of Cyprus, including the recent offer by the President of the Republic of Cyprus, Mr. Clerides, for Turkish-Cypriot participation in Cyprus's negotiating team in the accession negotiations of Cyprus with the European Union have consistently been scorned by the Turkish side.

19. The same attitude has been exhibited by the Turkish side also to third-party proposals for rapprochement between the two communities. Having said that, it should be stressed that on its part the Government of Cyprus has continued throughout the years to exhibit the behaviour that one would expect from any Government towards its citizens and has been providing the Turkish-Cypriot community with electricity free of charge and medical facilities and has also maintained the payment of pensions to Turkish-Cypriots who are entitled thereto. In relation to the Turkish-Cypriots living in the Government-controlled area, special care is taken by the Government in order to enable them to lead a normal life like any other Cypriot citizen. In his 1998 report to the Commission on Human Rights, the United Nations Secretary-General stated that the Government of Cyprus "has implemented all the recommendations made by the United Nations Force in Cyprus (UNFICYP) in the 1995 Humanitarian Review with regard to Turkish-Cypriots" living in the Government-controlled area (E/CN.4/1998/55, para. 26). Indicative of the positive treatment of these Turkish-Cypriots is in fact that they have made no use, as the Secretary-General stated, of the UNFICYP Liaison Office opened in December 1996 for receiving possible Turkish-Cypriot complaints and dealing with any problems they might face.

20. The same, unfortunately, cannot be said about the Greek and Maronite Cypriots living in the occupied areas.

21. Turkey's responsibility for keeping the two communities apart and for denying Cypriots the enjoyment of all their rights, including the right to their property, was recently the subject of a decision by the European Court of Human Rights in the case of Loizidou v. Turkey (a Greek-Cypriot refugee). In the said decision it was held that the continuous denial of the applicant's access to her property and the ensuing loss of all control over the property is a matter which falls within Turkey's jurisdiction and is thus imputable to Turkey.

Further demographic information and data regarding the economic situation of ethnic groups

22. The demographic information and data already supplied to the Committee in the report and the core document are, under the existing circumstances, the most reliable that can be supplied at present. The inability to go into further details concerning, in particular, the Turkish-Cypriot community stems from the fact that as from the Turkish invasion of 1974 and due to the continuing occupation of 37 per cent of the territory of the Republic of Cyprus, the Republic's competent authorities are prevented by force, that is by the Turkish army, from undertaking any census or other relevant data collection.

23. Unavoidably, demographic information pertaining to the occupied area of the Republic and the Turkish-Cypriot community has to be based on Turkish-Cypriot sources and other estimates based on known population trends. On the basis of these estimates the breakdown of the population of Cyprus is 83.9 per cent or 621,800 Greek-Cypriots, 0.4 per cent or 2,500 Armenian, 0.6 per cent or 4,500 Maronite, 0.1 per cent or 700 Latin, 12 per cent or 89,200 Turkish-Cypriot and 3.0 per cent or 22,300 foreign.

24. With reference to the Turkish-Cypriot community, the analysis becomes even more complicated if one were to consider the fact that large numbers of Turkish citizens have settled in the occupied area of Cyprus, while at the same time large numbers of Turkish-Cypriots are emigrating, primarily to the United Kingdom, Canada and Australia and not to Turkey. If we were to rely on Turkish-Cypriot publications, the total population in the occupied area is 198,215. If from this figure we subtract the estimated 89,200 Turkish-Cypriots, the remaining 109,000 must be Turkish settlers. If at the same time we consider that on the basis of the 1973 census (before the Turkish invasion) the Turkish-Cypriot population was 116,000, it is logical to assume that the difference, that is 26,800, must be the number of Turkish-Cypriots that have emigrated. This coincides with Turkish-Cypriot press reports that 25 per cent of the Turkish-Cypriot community have emigrated since 1974. Concerning the request for financial data and information, the issue is again quite complicated since the Republic of Cyprus, with its fully fledged market economy, does not differentiate between its financially active population on the basis of ethnic or religious status.

Participation of the Turkish-Cypriot community

25. It should be recalled that the Constitution of the Republic of Cyprus is a granted Constitution the basic articles of which cannot be amended. The said Constitution is based on a system of quota participation of the two major Cypriot communities in all areas of public life. Seats in parliament are allocated by the Constitution on a 70 per cent to 30 per cent basis between the Greek-Cypriot and the Turkish-Cypriot communities.

26. According to the Constitution the members of the smaller Cypriot communities, in order to participate actively in the political life of the country and enjoy their political rights freely, exercised their right to choose to which of the major communities they wished to belong. As members of the chosen community they have the same rights as any of its other members. In addition, members of the smaller communities, according to article 109 of the Constitution, elect their own community representative to represent them in the House of Representatives. This representative is additional to any member of a smaller community who may be elected to the House of Representatives under the quota of the major community to which they have opted to belong. This system does not give rise to tensions between political parties and the smaller communities since they do not contest for the same seats in parliament. The seats held by representatives of the small communities are additional to the fixed number of seats in the House of Representatives.

Treaties

27. According to article 169 (3) of the Constitution of the Republic of Cyprus, treaties, conventions and agreements have superior force over any municipal law. The Constitution is the supreme law of the Republic. Provisions in International treaties can be directly invoked if the treaties are self-executing; otherwise, specific legislation has to be enacted in order to implement them. Such legislation has been enacted to implement the provisions of the International Convention on the Elimination of all Forms of Racial Discrimination (Law 11 (III) of 1992). The Government of the Republic, as has already been stated, has established the National Institution for the Protection of Human Rights, one of the functions of which is to make

recommendations for the harmonization of the legislation with international treaties relating to human rights. This function has been exercised recently on a number of occasions. One recommendation was to place under judicial control the detention of aliens awaiting deportation.

28. All conventions and international treaties which are binding on the Republic are translated into the official languages before they are ratified. These conventions and international treaties are then published in the Official Gazette and form part of the legislation of Cyprus.

29. Consequently, all interested parties, including lawyers, are aware of their provisions and can invoke them where appropriate.

Migrant workers and aliens: further information

30. By decision of the Council of Ministers certain criteria must be met before a foreign worker receives a work permit in Cyprus. One of these criteria is that there must be a shortage of labour verified by the Ministry of Labour and Social Insurance in a specific area so that the Immigration Department can issue the necessary temporary work and residence permit. In the case of domestic workers, however, at a time when the shortage was more than evident, it was decided that the Immigration Department could issue the relevant permits without requiring a prior report from the Ministry of Labour and Social Insurance.

31. As a result thereof, the Immigration Department and the Police are engaged in examining complaints made by this group of workers, although the Ministry of Labour and Social Insurance continues to have the overall responsibility for issues relating to terms and conditions of employment. Moreover, the Ministry of Labour and Social Insurance also examines complaints which are submitted directly to its competent Services.

32. Following a recommendation of the Ombudsman, the existing procedure for examining complaints made by foreign domestic workers has been reviewed and a Complaints Office has been established within the Ministry of Labour and Social Insurance which uniformly deals with all complaints made by foreign workers including domestic workers.

33. According to more recent statistical figures, the main countries of origin of migrant workers are the Philippines, Sri Lanka, Greece, Bulgaria, Lebanon and Syria. A full analysis and breakdown of figures will be provided in future reports.

Media

34. The Cyprus Broadcasting Corporation is a public corporation, which is administered by a Board of Administration appointed by the Council of Ministers. The members of the Board are appointed in their personal capacity and act independently from the Government. It is a non-profit-making organization and uses its entire income for providing information, culture and entertainment to the people of Cyprus. Its income comes from the following three sources:

(a) Contributions by the public (a percentage added to electricity bills);

(b) Advertising; and

(c) Government subsidies.

35. A number of private commercial television stations also transmit in Cyprus. Licences are issued and supervision regarding legal obligations is carried out by the Cyprus Broadcasting Authority, an independent body established under the Private Radio and Television Broadcasting Stations Law (7 (I)/1998). As part of the promotion of participation in cultural life, there is access to the State media in the form of daily radio programmes broadcast in the language of each community or group.

Channel One of the Cyprus Broadcasting Corporation

36. This channel transmits programmes in various languages from 06.00-24.00 as follows:

(a) Programmes in Turkish with 10-minute news bulletins at 7.30, 13.15 and 18.50;

(b) Programmes in Armenian (with news bulletins at 17.15 on Sundays, Tuesdays and Fridays);

(c) Programmes in English with news headlines at 18.03 and 10-minute news bulletins at 20.00, 22.00 and 24.00 (also news in English at 13.30 every day).

Channel Two of the Cyprus Broadcasting Corporation

37. During the summer period CyBC Radio Channel Two transmits "Welcome to Cyprus", a daily two-hour evening programme specially prepared for visitors to Cyprus. The programme is presented in four languages (German, French, Russian and English) and is produced in collaboration with the Cyprus Tourism Organization.

Channel Three of the Cyprus Broadcasting Corporation

38. This channel began broadcasting on 30 September 1990 on 94.8 FM stereo. It functions on a 24-hour basis, its main goal being to entertain and inform its listeners. The decision to create this channel was taken in 1986 in the context of the CyBC effort to offer additional services to the Cypriot public.

39. It is interesting to note that as from 27 June 1999 the Cyprus Broadcasting Corporation transmits especially for the Maronites a programme under the title "The Voice of Maronites". Also, a special programme for the Latins started on 13 November 1999.

Television broadcasting

40. There are three news bulletins in Greek on Channel One and three (one in Turkish) every evening on Channel Two of the Cyprus Broadcasting Corporation. A newsreel in Turkish called

"Actualite" and a cultural magazine called "Mozaik" are transmitted on Tuesdays and Fridays on Channel Two. The news and newsreels in Turkish are watched by a large number of Turkish-Cypriots who also listen to the radio programmes.

41. Finally, Channel Two of the Cyprus Broadcasting Corporation also transmits Euronews from 07.00 till the start of its own programme and until 03.00 after the end of its own transmission.

Education

42. The right to education is safeguarded by article 20 of the Constitution and articles 86-109, which refer to the establishment and functioning of the Communal Assembly, the powers of which were transferred in 1965 to the Ministry of Education and Culture.

43. The situation with respect to education in Cyprus is the following:

(a) Primary and secondary education is compulsory and free for all persons, irrespective of their financial condition, race, colour, religion or group of origin;

(b) The right to establish and operate private schools is safeguarded. The private educational system covers all stages of education;

(c) Children belonging to the relevant religious groups or communities, such as Turkish-Cypriots, Maronites, Armenians and Latins, are assisted by the State to attend private schools of their choice. The State thus covers all fees and expenses of Turkish-Cypriot pupils whose families reside in the areas controlled by the Government and who attend private schools of elementary and secondary education. It also grants the amount of £120,00 per year to every Maronite or Latin student who attends primary education at the private schools of Terra Santa and St. Mary's, and further grants an annual amount of £450,00 to each Armenian, Maronite and Latin student attending a private secondary education school;

(d) The right of religious groups or communities to set up and operate their own schools is safeguarded and such schools are financially assisted by the State. In particular, Armenians have primary schools of their own and these are fully funded by the State. Maronites lost their educational establishments as a result of the Turkish invasion, but the State has recently decided to establish an elementary school for them;

(e) Higher education is offered by the University of Cyprus, to which admission is open to all, depending on examination results. The teaching languages of the University are Greek and Turkish;

(f) Religious instruction of Maronite children who attend public schools is taught by Maronite priests who receive a monthly stipend from the State;

(g) The members of all religious groups and communities use their own language in private and in public, and are free to receive instruction in their mother tongue. The Ministry of Education and Culture subsidizes cultural activities for all religious groups, which include book publishing, performances, libraries, etc.;

(h) The educational system of Cyprus aims at giving the broadest possible education to all its students. Like all educational systems it cannot disassociate itself from the country's history, culture and tradition. However, this is done through a universal education approach. Schools in Cyprus hold special celebrations and events such as Commonwealth Day, United Nations Day, International Day for the Elimination of Racial Discrimination, Human Rights Day and many others that expose the children to information and knowledge of international history.

Education and training

44. All textbooks used in public schools present minority cultures in a non-discriminatory way through history, civics, Greek literature, philosophy and other curricula that:

(a) Present historical events objectively from various points of view;

(b) Stress the fact that world culture is the result of collective human effort, struggle and sacrifice;

(c) Stress the interdependence of people and their need to communicate and cooperate;

(d) Train pupils to respect and protect other people's rights;

(e) Encourage pupils to avoid dogmatism and make use of dialogue to reach mutual understanding;

(f) Encourage tolerance and mutual respect;

(g) Promote respect, friendly relations and good neighbourliness between people of different ethnic origin;

(h) Promote democratic values and respect for other cultures;

(i) Develop critical thinking;

(j) Encourage moral reasoning;

(k) Develop the ability to understand controversial issues of society;

(l) Challenge stereotyped thinking with evidence;

(m) Contribute to greater mutual understanding between communities in conflict.

Human rights education.

45. The obligations under article 7 of the Convention that calls for human rights education are fulfilled by the following measures:

(a) Civics curricula. The civics curriculum, taught in the third and fifth classes of the secondary schools, includes the basic articles of the Charter of the United Nations referring to human rights;

(b) Human rights curricula. Human rights curricula promote:

(i) The ability to approach problems as a member of global society;

(ii) The ability to work with others in a cooperative way and to carry out one's duties within society;

(iii) The willingness to resolve conflict in a non-violent manner;

(iv) The ability to be sensitive towards and to defend human rights;

(c) Teaching methods:

(i) Active learning methods; not learning about human rights but "understanding" and "practising" them;

(ii) Projects and group work;

(iii) School visits to the courts or the House of Representatives where students may engage in their own debate;

(iv) Pupils try to find solutions regarding problems at school such as littering, bullying and truancy, and form school policy through their councils;

(v) Developing school, class and family charters of rights; making comparisons with the Convention on the Rights of the Child.

(d) Teacher training. Human rights matters are included in the initial and in-service teacher training and both primary and secondary schoolteachers are very sensitive towards human rights. (It may be useful to add that the National Institution for the Protection of Human Rights is now organizing a series of seminars intended for training teachers in the subject of human rights. The seminars are organized by the Institution, together with the Ministry of Education and Culture, the Ministry of Labour and Social Insurance and the Ministry of Justice and Public Order. The last two Ministries emphasize the rights of the children and students and persons with special needs. The seminars will be addressed initially to secondary education teachers and later to primary education teachers.);

(e) Pupils of religious groups:

(i) The right of religious groups to set up and operate their own schools is also safeguarded and such schools are financially assisted by the State;

(ii) The State covers all the tuition fees of the Turkish-Cypriot pupils who attend private schools; subsidizes the tuition fees of the pupils who belong to the religious groups of the Maronites, the Armenians and the Latins and attend the first six classes of private schools of secondary education.

46. Finally, efforts are being made in the fields of education and research, so as to improve knowledge of culture, language and religion by including, inter alia, more references about religious groups in school textbooks. Thus, the publishing of books has been decided upon and planned, and is now being pursued.

The Refugee Law

47. The draft law providing for the protection of refugees was enacted into Law No. 6 (I) of 2000.

48. The Refugees Law consists of six parts:

Part I. This contains introductory provisions defining, inter alia, the term "refugee" and setting certain basic principles for the treatment of refugees;

Part II. This contains provisions relating to the entry of asylum-seekers in the Republic and the issue of permission for temporary residence;

Part III. This contains procedural matters regarding the recognition of the status of refugee, i.e. where it is made, how manifestly ill-founded applications are treated, examination of the applicant, right of recourse of the applicant if dissatisfied with the decision of the Authority and other related matters;

Part IV. This part deals with the rights and obligation of refugees. It also contains provisions about the rights of the families of refugees;

Part V. Under this part an Authority is established for the recognition of the status of refugee. It consists of the directorate of the Ministry of Interior, the Ministry of Foreign Affairs and the Ministry of Justice and Public Order or their representatives;

Part VI. This contains final provisions including provisions for deportation and for making regulations.

Public servants - education on human rights

49. The Government Personnel Department has recently informed the Law Commissioner that the new curriculum for the education and further training of public servants now includes the subject of international conventions with emphasis on those relating to human rights.

50. The Institution of the Commissioner for Administration (Ombudsman) was introduced in January 1991 as an additional safeguard against possible violations of human rights.

51. The Commissioner for Administration (Ombudsman) has jurisdiction to examine complaints relating to administrative authorities including the police, the armed forces, public corporations and the local authorities. The investigations relate to acts or omissions of any administrative body or officer which allegedly violate human rights, the provisions of any law or the principles of good administration and proper behaviour towards the administered, provided that a person is directly and personally affected by the act or omission complained of.

Reparation for aggrieved persons

52. Under article 146 (6) of the Constitution, "any person aggrieved by any decision or act declared to be void by the Supreme Court in a recourse under this article or by any omission declared, thereunder, that it ought not to have been made, shall be entitled, if his claim is not met to his satisfaction by the organ, authority or person concerned, to institute legal proceedings in a Court for the recovery of damages or for being granted other remedy and to recover just and equitable damages".

53. In addition, courts exercising criminal jurisdiction may award compensation to victims of crimes. Moreover, under the Compensation to the Victims of Violent Crimes Law of 1997 (51 (I) of 1997), compensation is awarded to victims of violent crimes where the victim cannot secure compensation from the offender and where no compensation is provided from other sources or the compensation is less than the compensation provided under the law. The Republic is also liable for any wrongful act or omission causing damage committed in the exercise of the duties of its officers or authorities.

Official languages

54. The official languages of the Republic of Cyprus are Greek and Turkish. Its citizens speak at least one of these two languages and in addition, members of the smaller communities may speak, depending on their origin, any other language as well. For example, members of the Armenian community speak Armenian, some Latins may speak Italian and some Maronites may speak a dialect of Arabic. There is, however, no way of generalizing this issue. Minorities are free to receive instruction in their mother tongue and to use their own language in private and in public.

55. Finally, it is interesting to note that Cyprus has ratified the European Charter for Regional or Minority Languages by Law No. 39 (III) of 1993, but it has not yet entered into force.

Protection of individuals from violation in the private sector

56. The protection of individuals whose rights have been violated in the private sector is offered by:

(a) A civil action for compensation, restitution and declaratory judgment. In the case of possible irreparable damage an injunction may be granted;

(b) Private criminal prosecution;

(c) Right of appeal in both civil and criminal cases;

(d) Submitting a complaint to the National Institution for the Protection of Human Rights. However, the Institution imposes neither sanctions nor remedies for the particular complaint. The Institution advises, makes recommendations and prepares reports which may be published.

Employment of Muslims

57. A Muslim who is not a Turkish-Cypriot, or for that matter a Christian who is not a Greek-Cypriot, can be employed in the Civil Service if he/she is a citizen of the Republic. It is possible to acquire such citizenship under certain circumstances by virtue of the Citizenship of the Republic Law. Furthermore, foreigners can also be employed in the Civil Service, irrespective of whether they acquire Cypriot citizenship, as consultants on special contract.

Implementation of article 4 of the Convention

58. The full implementation of article 4 is ensured through Law 11 of 1992 which criminalizes the acts mentioned in article 4 of the Convention. The Law was recently amended following a recommendation of the Committee. The text of the Law relating to the offences is now as follows:

Section 2A of Law 28 (III) of 1999:

"Offences.2A-(1) Any person who in public either orally or through the press or any document or picture or by any other means, incites acts which are likely to cause discrimination, hatred, or violence against any person or group of persons because of their racial or ethnic origin or their religion is guilty of an offence and is liable to imprisonment not exceeding two years or to a fine not exceeding one thousand pounds or to both.

(2) Any person who establishes or participates in any organization which promotes organized propaganda or activities of any form aiming at racial discrimination is guilty of an offence and is liable to the penalties provided in subsection (1).

(3) Any person who in public either orally or through the press or any documents or pictures or by any other means expresses ideas insulting against any person or group of persons by reason of their racial or ethnic origin or their religion is guilty of an offence and is liable to imprisonment not exceeding one year or to a fine not exceeding five hundred pounds or to both.

(4) Any person who by profession supplies goods or services and who refuses such supply to any person by reason only of his racial or ethnic origin or his religion or makes such supply subject to a term relating to the racial or ethnic origin or religion of any person is guilty of an offence and is liable to imprisonment not exceeding one year or to a fine not exceeding five hundred pounds or to both such penalties."

IV. RECENT DEVELOPMENTS

Amendment of the Citizenship Law

59. In 1998 the Republic of Cyprus Citizenship Law of 1967 was amended, thus eradicating the discrimination which existed between male and female Cypriot citizens.

60. The discrimination lay in the fact that the alien wife of a Cypriot citizen could acquire the Cyprus nationality after one year of cohabitation with the husband whereas the alien husband of a female citizen could not enjoy the same right. He could of course become a citizen by naturalization, a procedure which entails at least 10 years of residence and good behaviour.

61. The law has now been changed and the right of an alien spouse to acquire the citizenship of the Cypriot spouse is given to both spouses irrespective of sex, provided that they live together as husband and wife for a period of two years.

62. Another instance of discriminatory treatment was the case of the child of a Cypriot mother who could not acquire the mother's nationality whereas the child of a Cypriot father could. The new amendment accords the same right to the child of a Cypriot wife (Law No. 65 (I)/1999).

Establishment of the National Institution for the Protection of Human Rights

63. On 16 September 1998, the Council of Ministers established an independent institution for the protection of human rights under the name "National Institution for the Protection of Human Rights". The Institution is an independent body in the sense that it does not come under the control of any ministry and is not answerable for its function to the Government. However, the Institution submits every year to the Council of Ministers and the House of Representatives a report of its activities and the cases of complaints which have been examined by it.

64. The National Institution consists of two committees: the Implementation Committee, which deals with the implementation of conventions, and the Steering Committee, which deals mainly with the investigation of complaints.

65. The Chairman of the Institution is an independent public officer appointed for a period of five years by the Council of Ministers. The current Chairman of the Institution is the Law Commissioner who was responsible in the past for the preparation of all reports submitted to the monitoring committees set up under the various conventions dealing with human rights. Also, the Law Commissioner has been appointed as Liaison Officer for Monitoring the European Commission against Racism and Intolerance (ECRI).

66. The Implementation Committee is composed of governmental officials appointed for at least two years. The Chairman of this Committee is also Chairman of the Institution. The purpose of this Committee is to prepare the periodic reports which are submitted under various conventions and to recommend necessary amendments to the legislation in order to bring it into conformity with the provisions of the conventions.

67. The Steering Committee consists of members selected from the private sector and from the House of Representatives. The Chairman of this Committee is a well-known personality and ex-Minister of Justice. He has a very successful law practice and has wide experience in human rights issues both in Cyprus and abroad. The main object of this Committee is to hear complaints about violations of human rights which do not fall within the competence of other institutions or bodies. The Chairman and the members of this Committee are appointed for a period of five years.

68. The functions of the Institution are:

(a) To supply information relating to human rights to all interested parties;

(b) To provide assistance for the development and promotion of awareness of human rights;

(c) To carry out studies, or organize discussions and make suggestions in relation to the state of human rights in Cyprus;

(d) To advise the Government on any question relating to human rights which has been referred to the Institution for an opinion;

(e) The study and follow-up of the legislation, the case-law and the administrative arrangements in relation to the protection and promotion of human rights;

(f) To prepare and submit to the competent bodies and committees reports, replies to questionnaires and notes in relation to human rights in Cyprus. The competent bodies to which such reports are submitted include committees which have been set up by virtue of conventions in order to supervise the implementation of Conventions such as the: International Covenant on Civil and Political Rights; the International Covenant on Economic, Social and Cultural Rights; the International Convention on the Elimination of All Forms of Racial Discrimination; the

Convention against Torture and Other Cruel, Inhuman or Degrading Treatment or Punishment; the Convention on the Rights of the Child; and the Convention on the Elimination of All Forms of Discrimination against Women;

(g) To examine, on its own initiative or following an application, complaints about violations of human rights and to submit reports and recommendations to the competent organs;

(h) To submit recommendations and proposals including the preparation of draft laws for the updating and harmonization of legislation with international conventions on human rights;

(i) To organize lectures, seminars or meetings of any form for the purpose of promoting human rights and informing the public about human rights;

(j) To take all measures in order to secure scholarships for further education and training on human rights;

(k) To prepare studies, translations and other documents on human rights with the aim of informing the public as to their rights and obligations;

(l) To carry out any other function which the Council of Ministers might assign to it in relation to the obligations of the Republic by virtue of international conventions on human rights which the Republic is bound to implement.

69. The meetings of the Institution are convened by the Chairman of the Institution at his own initiative or following a request by the Chairman of the Steering Committee. The meetings of the Institution must be attended by the Chairman of the Institution and the Steering Committee as well as all the members of the Committees unless the Chairman of the Institution decides otherwise.

70. The Institution may assign all or some of its functions to its Chairman or the Chairman of the Steering Committee or any other member of the Institution for any period of time.

71. The Institution has set up a fund under the Societies and Institutions Law of 1972 (57 of 1972) for the purposes of promoting the objectives of the Institution.

72. The Institution may submit its recommendations, proposals and reports to the Council of Ministers through the Ministry of Foreign Affairs.

73. Finally, the Institution constitutes the link of the Republic of Cyprus with similar institutions abroad.

Protection of women and children from exploitation

74. In general Cyprus does not face problems regarding child exploitation. The existing legislation for the protection of children at work is most effective. However, a draft law for the

protection of persons against exploitation was prepared by the Law Commissioner and has recently been enacted into law under the title Combating of Trafficking in Persons and Sexual Exploitation of Children Law of 2000 (3 (I) of 2000).

75. The Children and Young Persons (Employment) Law, Cap. 178 (as amended by Laws 61 of 1964, 18 of 1968, 239 of 1990 and 87 (I) of 1999), as the title implies, contains provisions aiming at the protection of children in employment. There is also a number of relevant international instruments which have been ratified by the Government of Cyprus and which, under article 169.3 of the Constitution, have superior force to any domestic law. These instruments include:

(a) The Minimum Age Convention, 1973 (No. 138);

(b) The Minimum Age (Underground Work) Convention, 1965 (No. 123);

(c) Article 7, paragraphs 1, 3, 7 and 8, of the European Social Charter.

76. Furthermore, the following enactments contain certain provisions for the protection of children:

(a) The Children Law, Cap. 352, section 54: cruelty to persons under 16;

(b) The Children Law, Cap. 352, section 55: causing or encouraging seduction, unlawful carnal knowledge or prostitution of, or the commission of an indecent assault upon, a girl under the age of 16;

(c) The Children Law, Cap. 352, section 57: causing or allowing children under 16 to be used for begging;

(d) The Violence in the Family (Prevention and Protection of Victims) Law of 1994 (47 (I) of 1994): use of violence against a minor or in the presence of a minor.

77. It is to be noted there is a draft law for the amendment of the above law so as to facilitate its implementation.

78. Finally, the following national legislative enactments offer complete protection for the child:

(a) The Children Law, Cap. 352;

(b) The Juvenile Offenders Law, Cap. 157;

(c) The Criminal Code, Cap. 154;

(d) The Violence in the Family (Prevention and Protection of Victims) Law of 1994 (47 (I) of 1994);

(e) The Parents and Children Relations Law of 1990 (216 of 1990);

(f) The Adoption Law of 1995 (19 (I) of 1995);

(g) The Convention on the Protection of Children and Cooperation in Respect of Inter-country Adoption (Ratification) Law of 1994 (26 (III) of 1994);

(h) The United Nations Convention on the Rights of the Child (Ratification) Law of 1990 (243 of 1990).

79. The effective enforcement of existing legislation on the work of children (see para. 75) in Cyprus is secured by the Labour Inspection Service of the Department of Labour and the Police. At present, the existing legislation is considered adequate and, according to the Police, cases regarding exploitation of employed children are not reported and therefore it is not at present possible to consider whether there is a serious problem. However, there are some weaknesses in the field of employment regarding:

(a) Night work of children over the age of 16 and under the age of 18;

(b) Work likely to harm the mental, moral or social development of children and young persons;

(c) Rest periods for employed children (15-16 years of age) and young persons about 16 and under 18 years of age.

80. In fact, the Government, recognizing the need to amend the legislation dealing with employment and to bring it into line with the relevant Directive of the European Union (Council Directive 94/33/EC of 22 June 1994 on the Protection of Children at Work), International Labour Organization Convention No. 138 and article 7, paragraphs 1, 3, 7 and 8, of the European Social Charter, is already proceeding with its amendment. Moreover, it has recently been decided to proceed with the preparation of a new law which will consolidate the existing law (basic and amended) and to update it on the basis, inter alia, of the acquis communautaire. The suggestions for reform of the existing law will include:

(a) The amendment of section 8 of the Children and Young Persons (Employment) Law so that the prohibition of night work of young persons (above 16 and under 18 years of age) will be extended to cover non-industrial undertakings;

(b) The amendment of section 3 of the Law which prohibits the employment of children under 15 years of age in any work. Through this amendment it is proposed that children of at least 14 years and under 15 years of age, under certain conditions, may be allowed to work as apprentices, with a special licence granted for this purpose by the Minister of Labour and Social Insurance;

(c) The amendment of sections 4 and 5 of the Law which regulate the hours of work and rest of both children and young persons, that is all persons under 18.

81. It is interesting to note that the draft laws for the above amendments were enacted into Laws Nos. 87 (I) of 1999 and 21 (I) of 2000.

82. Despite the fact that child exploitation is still unknown in Cyprus, the Government is very sensitive to and closely watches the issue. Issues relating to children in general (e.g. education, health, protection) have high priority in the Government's Strategic Development Plan, as indicated by the following figures:

(a) 13.5 per cent of the national budget corresponds to expenditure for all levels of education (Statistics of Education, 1995/96);

(b) About 25 per cent of the public assistance recipients are children. Included in those cases are disabled children who receive a monthly allowance by law (Department of Social Welfare Services, 1998);

(c) Annually, the Government subsidizes children's programmes operated by NGOs and local community councils. In 1998, about 37 per cent of the State grants for NGOs was allocated to children's programmes.

83. The Ministry of Education and Culture, with a view to protecting children from exploitation at the primary education level, intervenes in the manner described below.

Aims of education

84. The aim of education in Cyprus, as stated in The National Report of the Ministry of Education, Department of Education, 1990-1992, is "the development of free and democratic citizens with a fully developed personality, mentally and morally refined, healthy, active and creative, who will contribute with their work and their conscientious activity in general to the social, scientific, economic and cultural progress of our country and to the promotion of cooperation, mutual understanding and love among men and people for the prevalence of freedom, justice and peace".

85. The cornerstone of the objectives of primary education is the all-round and balanced development of the personality of children, through the creation of situations that will help them to acquire knowledge and to develop correct attitudes and skills so as to prepare them to become responsible members of society.

86. The basic aim of primary education is to organize teaching and learning activities so as to give to all children the proper guidance and assistance without any discrimination relating to age, sex, family or social origin, nationality or mental abilities and potentialities so as to help them to:

(a) Acquire the necessary knowledge and develop positive attitudes and suitable skills in the following areas: social coexistence, cooperation, solidarity, humanistic values, human rights and obligations, the natural environment, freedom, democracy, justice and peace. The objective of the development of positive attitudes and suitable skills in the aforementioned areas pervades every subject of the curriculum and every aspect of school life;

(b) Face successfully the various problems and challenges they meet in school life and society;

(c) Promote cooperation, mutual understanding and respect among people of all countries.

87. School curricula in Cyprus help children to maximize their potential, enhance their physical, mental and emotional social abilities and cultivate their talents. Another objective of the curriculum is the development in the child of respect for his or her parents, the elderly, and all human beings and living creatures in general. Furthermore, in the chapter relating to the methodological guidelines, great emphasis is given to the principle that every teaching activity in school should concentrate on the educational effort of satisfying the needs, interests and inclinations of each child as a unique personality.

Education

88. Education for ages 5-11/12-15 is free and compulsory.

89. Primary education covers almost 100 per cent of the children and is available to all children irrespective of race, colour, religion or ethnic group or origin. Children coming from low-income families and children in rural areas are treated in the same way as all other children. Primary schools have been established and operate in all towns and villages. In the very few villages where the number of pupils does not permit the operation of primary schools, adequate transportation is provided by the State so as to facilitate pupils' attendance at nearby schools.

90. According to relevant regulations the principals of schools are responsible for reporting to the Ministry of Education and Culture any irregular attendance, dropping-out of school or complete non-attendance. Those who violate the law are prosecuted. There are also supportive measures if the family is in a state of need.

91. It should be noted that, with the permission of the Director of Primary Education and on the basis of a suggestion by psychopedagogical district committees, primary school enrolment and attendance may be delayed in cases of illness, handicap or delayed development. These children attend alternative pre-school or special education programmes geared to their potentialities and aiming at the enhancement of their development.

92. The provision of the Compulsory Education Law relating to the prosecution of parents of children who have irregular attendance or no attendance has remained mostly inoperative since school attendance is almost 100 per cent.

93. School discipline is maintained by developing self-discipline through programmes for social, moral and emotional development. Decent human relations, positive role-modelling, creating the appropriate social climate in the school, developing the child's self-image, making teachers conscious of the extensive effects of the hidden curriculum, democratic class management and participation of the students in the school administration are among the measures employed to achieve the form of school discipline which safeguards the child's dignity and self-respect.

94. All forms of corporal punishment have been strictly forbidden in schools since the early 1960s. The implementation of the school rules by the children is achieved through persuasion. When a child is found guilty of a very serious fault or misbehaviour and does not respond to the teachers' persuasion, the headmaster of the school, in cooperation with the inspector, the educational psychologist of the school and the parents of the child, plans an individual programme and special strategies to help the child.

95. Violation of the relevant regulations constitutes an offence and offenders undergo the consequences of their actions as decided by the Directors of Education or the Educational Service Committee.

Pre-primary education

96. The Ministry of Education and Culture has been expanding pre-primary education to meet the needs of pre-school children. Where places are limited, priority is given to children of working parents. Government support has taken the following forms:

(a) Establishment of new public nursery schools;

(b) Subsidizing community nursery schools;

(c) Encouragement and assistance of private nursery schools;

(d) Initiation and facilitation of the establishment of leisure centres or children's clubs in order to provide care and supervision as well as education to children of parents in employment in the afternoons after school hours.

Special education

97. Progress has been made in relation to the amendment of the Special Education Law of 1979 (47 of 1979), in order to harmonize it with new perspectives and trends. The draft law has been discussed and approved by the Council of Ministers and has been forwarded to the House of Representatives for final approval. It is expected that a new law for special education will be enacted soon.

98. As part of the special education policy of the Ministry of Education and Culture, serious progress has been made in recent years towards the integration of children with special needs into the ordinary educational system. Using the services of peripatetic teachers has made it possible to expand provision in more schools and consequently to satisfy the needs of more children. Additionally, considerable teaching time assigned to schools above their curriculum needs is spent for supporting children with serious learning difficulties. Support teaching has recently been expanded to a limited number of nursery schools as well, to cover the needs of children whose enrolment in a primary school has been postponed for developmental reasons.

99. The Department of Primary Education has recently established small units in regular schools for children with a hearing impairment, autistic children and mentally retarded children

for the better fulfilment of their special needs. Part of the teaching programme is offered by a special education teacher in a special class while the rest of their needs are satisfied in the regular class.

100. The Department of Primary Education uses the services of experienced and specialized teachers, called Coordinators of Special Education or Special Needs Advisers, to coordinate the programmes provided in special education and advise teachers on issues related to their daily practice. The Special Needs Advisers work under the guidance of the Inspectors of Special Education.

101. Another area of concern to the Ministry of Education and Culture, beyond the need to improve the professional competence of teachers, is the provision of adequate teaching materials for children with special needs. New technology such as computers has also been introduced in special educational programmes.

102. The Ministry of Education and Culture, in its effort to provide a continuation of the work done in schools and a kind of relief to parents in employment, has started and has been operating in recent years an afternoon programme for children attending special schools. The programme is offered free of charge and covers a wide variety of activities like dance, swimming, physical education, music therapy, art, entertainment, etc. These subjects are taught by specialists like psychologists, social workers, physiotherapists and others. The cost of running the programme is covered by the Ministry and the Parents Associations, on an equal basis.

Health and school health services

103. School curricula have been revised, giving emphasis, among other things, to health education in its most comprehensive sense. The Government's decision to have a school programme which promotes health involves all children in all levels of education.

104. Health and hygiene are taught and promoted through a combined effort and are incorporated in the whole programme of the schools, mainly in science, home economics, physical education and social studies.

105. Great emphasis is given to health education in the new Curriculum of Primary Education (1994, chapter "Health Education"). Some of the objectives of nursery and primary schools are to help children:

(a) To develop positive attitudes and skills in relation to health;

(b) To learn basic knowledge about their body, the care of their body and elementary first aid knowledge and skills;

(c) To acquire skills which will help them to protect themselves from dangers, in order to keep their physical, spiritual, psychological and social health;

(d) To cultivate attitudes of neatness and health;

(e) To communicate with, accept and respect people with special needs in their social environment;

(f) To develop healthy, nourishing habits and attitudes;

(g) To become well-informed consumers;

(h) To acquire knowledge about various substances such as salt, sugar, alcohol, nicotine etc. and about the damage that the abuse of these substances could cause to their health.

106. The health and hygiene education is reinforced by various activities such as in-service education seminars, the publishing of relevant teachers' books and textbooks for children, the personal involvement of the primary school inspectors, etc. It is also reinforced by the involvement of the parents and the community through parent guidance programmes, family planning education and preventive health care.

107. Emphasis has very recently been given to an anti-drug educational programme through the Life Education Centre (LEC).

108. The LEC in Cyprus was established in 1997 by a wide range of people from different walks of life, with the cooperation of the Ministry of Education and Culture and the Ministry of Health. The aims of the LEC are to:

(a) Educate and sensitize children about the destructive effects of drugs on human life;

(b) Make children aware of themselves, the function of their body and how this function is affected by harmful substances;

(c) Develop in children decision-making skills, to build their self-esteem and to help them reach their full potential.

109. The above are expected to be met through a series of seven graded programmes, each one dealing with a different theme, for children of ages 6-13. The programmes are presented in a mobile unit by five educators who have undergone intensive training at LECs in Britain.

Innovations in primary education

110. The Ministry of Education and Culture introduces various innovations and gives emphasis to a number of areas for the improvement of both the quantity and the quality of the education offered to children, as follows:

(a) New school buildings have been built and equipped while others have been extended and improved because of the continuing effects of the Turkish invasion in 1974 and the internal movements and redistribution of the population, especially between urban and rural areas;

(b) A general programme for re-educating all primary school teachers who graduated from the Pedagogical Academy which aims at improving their education to university level has already been completed;

(c) In-service training seminars are organized by the Cyprus Pedagogical Institute in cooperation with the Ministry of Education and Culture (Department of Primary and Secondary Education) to help teachers acquire new ideas and improve their teaching competence. Special programmes are organized with the purpose of effectively meeting all the needs of exceptional children, including the gifted and the talented;

(d) Primary school inspectors, within the context of their visits to schools, stress the point that a variety of learning activities may be organized with a relevant adaptation of the school programme so that all children may benefit from them;

(e) Concerning gifted and talented children, primary school teachers organize individual teaching activities of various levels in order to meet the needs of all children, including the gifted and the talented. Furthermore, all children have the opportunity to satisfy and improve their talents, since in primary schools a variety of interesting activities are organized in music, art, drama, physical education and athletics;

(f) The Curriculum Development Service is now in a position to produce books for teachers and pupils as well as other educational material. During the last three years new books have been produced for the subject of science for all grades and the subject of mathematics for the first four grades of primary school. On the other hand, school curricula are being revised on the basis of suggestions made by teachers, inspectors and school boards;

(g) There has been an increasing awareness of the need to update study material and to use the appropriate methodology so as to help pupils to acquire basic study skills and correct attitudes;

(h) An integrated nine-year educational programme has been introduced in schools;

(i) The Ministry of Education and Culture has decided to establish an all-day school on an experimental basis in a small number of primary schools during the year 1999/2000. This decision is being discussed with the Minister of Finance;

(j) It is recognized that home-school cooperation assists children in getting the most from the educational programmes and in maximizing their potential. For this reason all schools try to inform the parents accordingly and to gain their close cooperation;

(k) The Ministry of Education and Culture, through its services for adult education, organizes lectures and debates on problems concerning premarital and parenthood counselling. Moreover, the Ministry subsidizes the Pancyprian School for Parents, which provides adult education in cooperation with the Teachers' Union, the Organization of Primary School Inspectors and the Parents' Committee which operates in every school.

Participation in committees

111. The Ministry of Education and Culture continues to have its own representative in every committee related to the rights of children, such as the Committee for the Protection and Welfare of Children, which is a representative body of all gove ental and non-governmental organizations concerned with the welfare of children which is very active in disseminating information about the situation in our country. The Ministry participates in all the annual and other activities of this committee.

112. The Ministry of Education and Culture also has its own representative in the Committee for the Family.

113. The Ministry of Education and Culture contributes to the prevention of and combats the exploitation of children. It focuses its attention on first-degree prevention and the school-based programme is organized around the following principles:

(a) Affirmation and integration of the pupils' personality, development of self-esteem and consolidation of self-image;

(b) Valid and timely information about psychoactive substances;

(c) Elimination of the causes driving pupils towards taking addictive substances;

(d) Development of a spirit of partnership for mutual respect of a person's personality and its uniqueness;

(e) Acquisition of communication skills for the compensation of different values and perceptions;

(f) Development of conflict-resolution skills, self-discipline and social adjustment.

114. Based on the above principles, the Ministry of Education and Culture has already organized 25 seminars focusing on anti-drug education. These seminars will continue to take place at campsites, especially designed in accordance with the above-mentioned principles. The general aim of such seminars is to develop "peer groups" among students whose lifestyle and behaviour will influence other groups of young people.

115. The methodology applied in the seminars is the active participation of the students, through group work. The pupils are encouraged to discuss their own feelings and share their views on a wide range of issues through role-playing. Teaching in these seminars is done by psychiatrists, psychologists, biologists, specialists in health education and others. More than 1,250 pupils have attended the seminars and all of them are very active in schools, working closely with school health committees and participating in school anti-drug activities. This number of pupils exceeds 5 per cent of the pupil population of the third grade in schools. Evaluation and assessment of the seminars are made through the use of questionnaires answered by the students at the end of each seminar and the necessary corrections and adjustments are endorsed.

116. The Ministry of Education and Culture also uses two mobile units called "Mentor" which visit the schools and pupils of the second grade (gymnasium) who attend a 90-minute programme conveying messages for a healthy lifestyle and drug resistance. More than 5,000 pupils participated in the programme. Also, from the beginning of this school year one of the "Mentor" units visits elementary schools.

117. In 12 selected schools (elementary, gymnasium, lyceum and technical) a pilot health programme is applied. This programme is part of a greater programme adopted by European institutions and is applied in close cooperation with the Ministry of Health, the Council of Europe, the European Commission and the World Health Organization. This programme is geared towards a holistic view of health and towards teaching children how to care for and promote their health. The schools employed in the programme are part of the European Network of Health-Promoting Schools. The programme's curriculum focuses on various health issues and mainly on the use and misuse of substances.

118. In order to increase the awareness and the involvement of school staff in health education programmes, and especially in programmes against drug abuse, various steps have been taken such as:

(a) Introduction of health education issues into the pre-service training curriculum of teachers attending courses at the Pedagogical Institute;

(b) Introduction of various health education themes into the curricula of the in-service training of headmasters and assistant headmasters;

(c) Special training of all counsellors and career guidance teachers of schools;

(d) Ideas, methods and practices are continuously disseminated to schools for the implementation and promotion of anti-drug campaigns; and

(e) Since 1992 more than 2,000 educators have participated in voluntary seminars, many of whom (40 per cent) attended seminars on the use of narcotic substances. At these seminars lectures were given by experts visiting Cyprus from abroad and local government and private specialists. These trained educators are used in schools to help pupils to develop their self-esteem, knowledge and skills and to make positive health choices and lead a healthy lifestyle.

119. Several evaluation surveys were conducted on issues such as use and abuse of substances:

(a) Smoking-1994: this survey was conducted among pupils of the third grade of lyceum (ages 17-18);

(b) Alcohol, tobacco and drug use-1995: this survey was part of a project covering pupils 15-16 years old, the purpose of which was to collect comprehensive data on drug and alcohol use;

(c) Individual school surveys are also conducted either as complementary to other investigations or as part of individual school programmes in order to observe drug habits and other patterns of behaviour;

(d) A committee consisting of inspectors, psychologists, psychiatrists, doctors, biologists and health educators monitors the whole Health Education programme.

120. Two full-time and three part-time educators are responsible for the implementation of the Health Education programme. In addition to their salaries the State spends more than £20,000 per year for three-day seminars against drug abuse (12 per year) and one-day seminars (5 per year) for the participating pupils. Also, the State contributes and sponsors many pupils' seminars conducted by individual schools.

121. Most of the money used for these purposes comes from the programme "Plant trees - Fight drugs". The money was collected mostly by the effort and work of pupils.

122. Various environmental practices and programmes are promoted to actively involve pupils in activities which promote well-being.

Service of educational psychology

123. The Service of Educational Psychology in cooperation with other services of the Ministry and other social agencies provide support to students who for various reasons face the danger of becoming victims of exploitation either within the family or in society. This Service participates in the various preventive programmes of the governmental services and works closely with the schools and families in order to face specific circumstances.

Counselling and Career Education Service

124. The Counselling and Career Education Service (CCES) continues to assist the students of the public secondary and technical schools and other young persons in:

(a) Developing personal awareness with regard to their interests, needs, abilities and expectations as well as in developing the necessary skills for the acquisition of objective educational and occupational information;

(b) Making proper decisions about their education and career;

(c) Dealing more effectively with any psychological, personal, family and/or social problems they might be facing.

125. In attaining these objectives the CCES offers the following:

(a) Counselling. Counsellors offer individual and/or group counselling to the majority of the student population of the public secondary and technical schools. It is worth noting that 30,442 students (55.30 per cent of the total number of students) were assisted during

the year 1997 through individual counselling. The counsellors at the General Offices of the CCES have offered help through individual counselling to 1,216 persons, mainly college and university students, soldiers, employed persons and students of private secondary schools;

(b) Career education/anti-drug education. The counsellors continue to offer the subjects of career education and anti-drug education during the first term of the school year to third grade students of the gymnasium using the books published by CCES on these subjects;

(c) In-service training. One of the main goals of CCES is the professional development of the staff and this is promoted through specially designed seminars, professional visits and training programmes;

(d) Personnel. The recruitment of permanent qualified counsellors is continuing. During the school year 1996/97 the number of counsellors employed at schools and the central offices was 55 and the number of other teachers who were assigned counselling duties was 23.

Existing law on the exploitation of women and children and proposed amendments

126. The main law for the protection of women and children from violence is the Violence in the Family (Prevention and Protection of Victims) Law of 1994. It was enacted in 1994 but soon certain problems were encountered in its full and effective implementation. To remedy the situation an amending draft law was prepared providing, inter alia, for the taking of testimony of victims of violence by electronic means, the protection of victims in court while giving evidence, the setting up of a fund to meet certain immediate needs of victims and the establishment of a shelter where victims can have protection. The draft law is now at the House of Representatives and is at the final stage of its enactment.

127. The Law Commissioner has prepared the following draft laws:

(a) A draft law providing against the exploitation of women and children, which was enacted into law quite recently under the title Combating of Trafficking in Persons and Sexual Exploitation of Children Law (No. 3 (I) /2000). It provides for the protection of women and children from exploitation. Under this law certain if not all forms of modern slavery are made offences entailing severe punishment. Acts being made offences under the new law are the sale of children, exploitation of women and children by prostitution, using children for the production of pornographic films and other publications. An important provision of the law is the appointment of a guardian for the protection of the victim;

(b) Protection of witnesses. The provisions of the Domestic Violence Law are complemented by another draft law providing for the protection of witnesses in offences of violence and offences associated with violence and organized crime;

(c) Draft law relating to equal opportunity for all. This includes a provision which deals with the issue of sexual harassment at work.

Commissioner for Minorities

128. In addition to the establishment of the National Institution for the Protection of Human Rights, the President of the Republic proceeded, at the beginning of his second term of office, to the appointment of a presidential Commissioner for Minorities who is responsible for the religious groups of Maronites, Armenians and Latins, proving thus in a practical way the Government's interest in the welfare of the religious minorities of Cyprus.

129. The Commissioner's terms and conditions of service are of ministerial level. The Commissioner is Mr. Manolis Christofides, who is a lawyer, ex-member of the House of Representatives, ex-Minister of Health and ex-Government Spokesman. A harmonious relationship and close cooperation with the three religious minority groups has been established. Several separate meetings have been held between the Commissioner and each religious group's representative in the House of Representatives.

130. The meetings continue to be held on a regular basis with the participation of the representatives of the religious groups in the House of Representatives, the Church authorities and prominent people representing associations and other bodies on behalf of each religious minority group. At each meeting, the focus is on the examination of several matters or demands raised by each group. The relevant ministerial representatives are present at the meetings depending upon the issues under consideration.

131. In this way, the Government ensures: (a) absolute and direct coordination with the religious minority groups; (b) the avoidance of bureaucratic procedures; and (c) the fast and effective solution of problems that might arise.

Non-governmental organizations (NGOs)

132. The development and notable growth of NGOs involved with the promotion and protection of human rights has been very evident in the last 50 years. NGOs play an important role in relation to the preparation of the periodic reports of Cyprus as a State party to international conventions by:

(a) Contributing to the submission of reports;

(b) Ensuring that the reports, the minutes of the respective committee's debates on the report and the concluding observations are made public;

(c) Submitting information to the pre-sessional working groups which meet at the end of each session to prepare the following session;

(d) Attending the meetings where the reports of State parties are examined.

133. In Cyprus there are four NGOs relating to human rights:

(a) Committee for the Restoration of Human Rights throughout Cyprus;

(b) The Immigrant Support Action Group;

(c) National Association for the Protection of Human Rights;

(d) International Association for the Protection of Human Rights.

134. Finally, it is interesting to note that the edition relating to human rights which has been issued by the Committee mentioned in paragraph 133 (a) above, contributes to the prevalence of human rights in primary education. The National Institution for the Protection of Human Rights supports the efforts of NGOs and believes that the role of NGOs helps and reinforces the role and existence of the Institution.